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VIA HAND DELIVERY JULY 26, 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Ruben et al.

Docket No.: PZ013P1C1

Application No.: 09/774,639

Group Art Unit: 1634

Filed: February 1, 2001

Examiner: Carla J. Myers JUL 31 2002

For: **Secreted Protein HBJFE12**
(as amended herein)

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INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.56

Commissioner for Patents
Washington, DC 20231

Dear Sir:

In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing or prosecution of the subject application, which are or may be material to the patentability of a claim of the subject application, Attorney for Applicants submit herein references cited to the Applicants in an International Search Report and in a Written Opinion in an international PCT application (PCT/US98/16235) counterpart to the present application. Attorney for Applicants hereby directs the Examiner's attention to references AA-AL listed on the attached Form PTO/SB/08. Copies of cited references AA-AL are enclosed.

The listed references are presented so that the Patent and Trademark Office can determine any materiality thereof to the claimed invention. See 37 C.F.R. § 1.104(a) concerning the Examiner's duty to consider and use any such information. Applicants respectfully request that the Examiner make the listed references of record in the file history of the application, and consider the information contained therein during the prosecution of this application.

Identification of the listed references is not to be construed an admission of any individual associated with the filing or prosecution of the subject application that such references are available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to take appropriate action to establish patentability over any of the listed documents should they be applied as references against the claims of the subject application.

Pursuant to 37 C.F.R. § 1.97(b), this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits. Accordingly, no fee is believed due. However, should the Patent Office determine otherwise, please charge such fee to our Deposit Account No. 08-3425.

Dated: July 26, 2002

Respectfully submitted,

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